

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

ROBERT MOORE
Plaintiff,

v.

**U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT; U.S. CUSTOMS AND
BORDER PROTECTION; AND
U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES,
Defendants.**

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EP-19-CV-00279-DCG

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO SUBMIT DISMISSAL DOCUMENTS**

Defendants, United States Immigration and Customs Enforcement (ICE), United States Customs and Border Protection (CBP), and United States Department of Health and Human Services (HHS) respectfully file this Defendants' Unopposed Motion for Extension of Time to Submit Dismissal Documents in the above-styled and numbered cause, and would respectfully show the Court the following:

1. On November 17, 2021, the parties filed their Stipulated Fee and Cost Settlement Agreement (Agreement). ECF No. 135. Therein, the parties specified the fees and cost to be paid to Plaintiff. *Id.*, ¶ 1. Defendants advised that they reasonably anticipated that the payment process would be completed within 30 days of the Court approving the Agreement or by December 13, 2021, whichever is earlier. *Id.*, ¶ 2.

2. The Court entered its Order approving the Agreement on November 18, 2021. ECF No. 136. The Court ordered the parties to filed dismissal papers for the instant case by December 13, 2021. *Id.*

3. Defendants CBP and ICE have processed payment and transferred funds in accordance with the Agreement. HHS anticipates payment will be processed and funds transferred on or before December 14, 2021. Defendants therefore seek a short one-week extension of time until December 17, 2021 to submit dismissal documents.

4. HHS seeks this extension in order to confirm Plaintiff's receipt of funds prior to filing dismissal papers for the instant matter.

5. Defendants seeks this unopposed extension of time not for purposes of delay, but so that justice may be done. Defendants respectfully pray that the Court grant this request for extension and enter a new deadline for submission of closing papers.

6. The undersigned conferred with Plaintiff's counsel and he indicated he is unopposed to the relief requested.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that the Court grant a short extension to December 17, 2021, to submit dismissal documents.

Respectfully submitted,

ASHLEY C. HOFF
UNITED STATES ATTORNEY

Date: 12/10/2021

/s/ Manuel Romero
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of December, 2021, I filed the foregoing with the Clerk of Court pursuant to the electronic filing procedures of the United States District Court for the Western District of Texas using the CM-ECF system.

/s/ Manuel Romero
MANUEL ROMERO

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ORDER

On this day, came on to be considered Defendants' Unopposed Motion for Extension of Time to Submit Dismissal Documents, in the above-entitled and numbered cause. The Court, having considered the motion, is of the opinion that said motion should be and is hereby **GRANTED.**

THEREFORE, IT IS ORDERED, the deadline for the Parties to file dismissal documents by no later than _____.

SIGNED this _____ day of _____, 2021.

DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE